

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON TRANSPORTATION**

**Call to Order:** By **CHAIRMAN SCOTT MENDENHALL**, on January 31, 2005  
at 3:00 P.M., in Room 172 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Scott Mendenhall, Chairman (R)  
Rep. Jill Cohenour, Vice Chairman (D)  
Rep. Bernie Olson, Vice Chairman (R)  
Rep. Elsie Arntzen (R)  
Rep. John Balyeat (R)  
Rep. Bob Bergren (D)  
Rep. George Golie (D)  
Rep. Jim Keane (D)  
Rep. Monica Lindeen (D)  
Rep. Gary MacLaren (R)  
Rep. Bruce Malcolm (R)

**Members Excused:** Rep. Larry Jent (D)

**Members Absent:** None.

**Staff Present:** Kyanne Kelly, Committee Secretary  
Leanne Kurtz, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 451, 1/5/2005; HB 398, 1/5/2005  
Executive Action: HB 301, HB 164, HB 323, HB 377, HB  
407

**HEARING ON HB 451**

**Opening Statement by Sponsor:**

**REP. JON SONJU (R), HD 7**, opened the hearing on **HB 451**, Allow local government to issue Garvee bonds.

00:03:13

**Proponents' Testimony:**

00:04:49 Jim Currie, Montana Department of Transportation  
00:09:21 Jim Hansz, City of Kalispell  
00:10:49 Alec Hansen, League of Cities and Towns  
00:11:53 Gordon Morris, Montana Association of Counties  
00:13:17 Cary Hegerberg, Montana Contractor's Association  
00:13:45 May Nan Ellingson, Dorsey and Whitney  
00:14:57 Carl Schweitzer, Kalispell Chamber of Commerce  
00:15:27 Joe Mazurek, Lobbyist for Great Falls  
00:15:58 Jim Patrick, City Manager in Kalispell  
00:17:24 Gary Amestoy, Richland County Economic Development Corporation

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:18:09

**Closing by Sponsor:**

00:39:15

**HEARING ON HB 398**

**Opening Statement by Sponsor:**

**REP. TIM DOWELL (D), HD 8**, opened the hearing on **HB 398**, Primary seat belt law for minors.

00:42:06

**Proponents' Testimony:**

00:45:12 Paul Grimstad, Montana Highway Patrol  
00:46:05 Jim Currie, Montana Department of Transportation  
00:46:35 Jim Smith, Montana Sheriffs and Peace Officers Association  
00:48:06 **REP. JILL COHENOUR, HD 78, EAST HELENA**

00:49:10 John Metropoulous, Farmers Insurance Group  
00:49:59 Greg Van Horssen, State Farm Insurance  
00:50:56 Larry Kibbee, Property Casualty Insurance  
Association  
00:53:19 Beda Lovitt, Montana Medical Association  
00:53:57 Steve Yeakel, Montana Council for Maternal and  
Child Health

**Opponents' Testimony:** None

**Informational Testimony:** NOne

**Questions from Committee Members and Responses:**

00:55:13

**Closing by Sponsor:**

00:56:11

**EXECUTIVE ACTION ON HB 301**

**Motion/Vote:** REP. GOLIE moved that HB 301 BE RECONSIDERED.  
Motion carred 11-1 by voice vote with REP. OLSON voting no. REP.  
JENT VOTED BY PROXY

**Motion:** REP. GOLIE moved that HB 301 DO PASS.

**Motion:** REP. GOLIE moved that HB 301 BE AMENDED.

**Discussion:**

01:15:09

[EXHIBIT](#)(trh24a01)

**Vote:** Motion carried unanimously by voice vote. REP. JENT VOTED  
BY PROXY

**Motion:** REP. GOLIE moved that HB 301 DO PASS AS AMENDED.

**Discussion:**

01:16:40

**Vote:** Motion carried unanimously by voice vote. REP. JENT VOTED  
BY PROXY

EXECUTIVE ACTION ON HB 164

Motion/Vote: REP. GOLIE moved that HB 164 Be Reconsidered.  
Motion carried unanimously by voice vote. REP. JENT VOTED BY  
PROXY

Motion/Vote: REP. GOLIE moved that HB 164 BE TABLED. Motion  
carried unanimously by voice vote. REP. JENT VOTED BY PROXY.

EXECUTIVE ACTION ON HB 323

Motion: REP. COHENOUR moved that HB 323 DO PASS.

Discussion:  
01:19:08

Motion: REP. COHENOUR moved that HB 323 BE AMENDED.

Discussion:  
01:20:07  
[EXHIBIT](#)(trh24a02)

Vote: Motion to amend failed 4-8 by roll call vote with REPS.  
BERGREN, COHENOUR, JENT, and LINDEEN voting aye. REP. JENT VOTED  
BY PROXY

Vote: Original DO PASS motion failed 3-9 by roll call vote with  
REPS. COHENOUR, JENT, and KEANE voting aye.

Motion/Vote: REP. BERGREN moved that HB 323 BE TABLED AND THE  
VOTE REVERSED. Motion carried 9-3 by voice vote with REPS.  
COHENOUR, JENT, and KEANE voting no. REP. JENT VOTED BY PROXY

EXECUTIVE ACTION ON HB 377

Motion: REP. KEANE moved that HB 377 DO PASS.

Motion: REP. KEANE moved that HB 377 BE AMENDED.

Discussion:

01:36:42

[EXHIBIT](#)(trh24a03)

Vote: Motion carried unanimously by voice vote. REP. JENT VOTED BY PROXY

Motion: REP. KEANE moved that HB 377 DO PASS AS AMENDED.

Discussion:

01:38:59

Vote: Motion carried unanimously by voice vote. REP. JENT VOTED BY PROXY

EXECUTIVE ACTION ON HB 407

Motion: REP. COHENOUR moved that HB 407 DO PASS.

Discussion:

01:44:51

[EXHIBIT](#)(trh24a04)

Motion: REP. COHENOUR moved that HB 407 BE AMENDED.

Discussion:

01:46:09

Vote: Motion failed 4-8 by voice vote with REPS. BERGREN, COHENOUR, GOLIE, and JENT voting aye. REP. JENT VOTED BY PROXY

Vote: Motion failed 3-9 by roll call vote with REPS. BERGREN, COHENOUR, and JENT voting aye. REP. JENT VOTED BY PROXY

Motion/Vote: REP. MACLAREN moved that HB 407 BE TABLED AND THE VOTE REVERSED. Motion carried 9-3 by voice vote with REPS. BERGREN, COHENOUR, and JENT voting no. REP. JENT VOTED BY PROXY

**ADJOURNMENT**

Adjournment: 5:00 P.M.

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REP. SCOTT MENDENHALL, Chairman

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KYANNE KELLY, Secretary

SM/kk

Additional Exhibits:

**EXHIBIT ([trh24aad0.PDF](#))**